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Costco Wholesale Corporation

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

WHITNEY CAROL HARPER,

CASE NO. 2:24-cv-01536-JAD-MDC

Plaintiff,

v.

COSTCO WHOLESALE CORPORATION,
a Foreign Corporation; DOES 1-20 and ROE
BUSINESS ENTITIES 1-20, inclusive,

**STIPULATION AND ORDER TO
EXTEND DISCOVERY AND RELATED
DEADLINES (FIRST REQUEST)**

Defendants.

IT IS HEREBY STIPULATED AND AGREED to by all parties, by and through their counsel, that pursuant to LR II 26-3, the discovery cut off and some of the related deadlines in this matter be extended for ninety (90) days from its current deadlines based upon good cause and good faith as follows:

A. Discovery Completed To Date:

1. The Plaintiff presented her FRCP 26(a)(1) Initial Disclosures of Documents and Witnesses on September 25, 2024;
2. The Plaintiff presented her FRCP 26(a)(1) First Supplement to Initial Disclosures of Documents and Witnesses on October 23, 2024;

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3. The Plaintiff presented her FRCP 26(a)(1) Second Supplement to Initial Disclosures of Documents and Witnesses on November 22, 2024;
4. The Plaintiff presented her FRCP 26(a)(1) Third Supplement to Initial Disclosures of Documents and Witnesses on December 2, 2024;
5. The Plaintiff presented her FRCP 26(a)(1) Fourth Supplement to Initial Disclosures of Documents and Witnesses on February 3, 2025;
6. Defendant presented its FRCP 26(a)(1) Initial Disclosures of Documents and Witnesses on September 12, 2024;
7. Defendant presented its FRCP 26(a)(1) First Supplement to Initial Disclosures of Documents and Witnesses on October 28, 2024;
8. Defendant presented its FRCP 26(a)(1) Second Supplement to Initial Disclosures of Documents and Witnesses on October 29, 2024;
9. Defendant presented its FRCP 26(a)(1) Third Supplement to Initial Disclosures of Documents and Witnesses on November 8, 2024;
10. Defendant presented its FRCP 26(a)(1) Fourth Supplement to Initial Disclosures of Documents and Witnesses on December 5, 2024;
11. Defendant presented its FRCP 26(a)(1) Fifth Supplement to Initial Disclosures of Documents and Witnesses on December 20, 2024;
12. Defendant presented its FRCP 26(a)(1) Sixth Supplement to Initial Disclosures of Documents and Witnesses on December 23, 2024;
13. Defendant presented its FRCP 26(a)(1) Seventh Supplement to Initial Disclosures of Documents and Witnesses on January 16, 2025;

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- 1 14. Defendant presented its FRCP 26(a)(1) Eighth Supplement to Initial Disclosures of
- 2 Documents and Witnesses on February 6, 2025;
- 3 15. Defendant presented its FRCP 26(a)(1) Ninth Supplement to Initial Disclosures of
- 4 Documents and Witnesses on February 10, 2025;
- 5 16. Plaintiff propounded Interrogatories, Requests for Production of Documents and
- 6 Requests for Admission and Defendant has responded;
- 7 17. Defendant propounded Interrogatories and Requests for Production of Documents
- 8 and Plaintiff responded;
- 9 18. Defendant propounded a Second Set of Interrogatories and Requests for Production
- 10 of Documents and Plaintiff responded;
- 11 19. Defendant served a First Supplemental Responses to Requests for Production of
- 12 Documents on January 23, 2025;
- 13 20. Defendant served a Second Supplemental Responses to Requests for Production of
- 14 Documents on February 10, 2025;
- 15 21. The deposition of Plaintiff was taken on December 18, 2024;
- 16 22. Plaintiff took the deposition of Defendant's employee, Daniel Martinez, on February
- 17 11, 2025;
- 18 23. Plaintiff took the 30(b)(6) deposition of Defendant, Kurt Kovalenko, on February 11,
- 19 2025;
- 20 24. Defendant has requested records from:
- 21 AWS Health
- 22 Bone and Joint Specialists
- 23 CareNow Urgent Care
- 24 Dynamic Spine & Sport
- 25 EOS Fitness
- 26 Harp Media & Creative Agency
- 27
- 28

1 Injured Lien RX
 2 Interventional Pain & Spine Institute
 3 Lake Mead Radilogy
 4 Las Vegas Injury Pain Center
 5 LVC Surgery Center
 6 Las Vegas Metropolitan Police Department
 7 Medical Associates of Nevada
 8 Mohave Mountain Anesthesia
 9 Pleasanton Police Department
 10 Pueblo Medical Imaging
 11 St. Rose Dominican Hospital – de lima
 12 St. Rose Dominican Hospital – San Martin
 13 St. Rose Dominican Hospital – Siena
 14 Sunrise Hospital and Medical Center
 15 The Neck and Back Clinics
 16 Zen Anesthesia

11 **B Discovery That Remains To Be Completed:**

- 12 1. Depositions of some of Plaintiff's medical providers/experts;
- 13 2. The deposition of Plaintiff's son, Brandon Harper, who is in high school; and
- 14 3. Depositions of Defendant's experts and additional employees.

15 **C. Reasons Why Discovery Was Not Completed:**

16 The parties have been diligently pursuing discovery over the original discovery
 17 period. Recently, on February 11, 2025, the depositions of Defendant' Rule 30(b)(6) witness
 18 and the involved employee of the Defendant were taken. Information obtained during those
 19 depositions have led to the need for further discovery by the Plaintiff, including more
 20 depositions.
 21

22 Also, expert depositions have not been considered until recently due to the delay with
 23 taking depositions of the Defense witnesses and that of the Plaintiff.
 24

25 In addition, the Defendant still needs to depose Plaintiff's son who was at the warehouse
 26 at the time of the incident, along with several treating physicians/experts. Plaintiff's son has a
 27

very busy high school student schedule with school all day, followed by sports. It is anticipated that this deposition will take place on a Saturday.

Proposed Schedule for Completing Discovery:

	Current Date	Proposed Date
Last day to amend or add	November 20, 2024	Closed
Initial expert disclosures	December 20, 2024	Closed
Rebuttal expert disclosures	January 17, 2025	Closed
Discovery cut off	February 18, 2025	May 19, 2025
Dispositive Motions	March 20, 2025	June 18, 2025
Pre-Trial Order	April 21, 2025	July 1, 2025

DATED this 19th day of February, 2025.

OLSON CANNON & GORMLEY

/s/ Michael A. Federico, Esq.

MICHAEL A. FEDERICO, ESQ.

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Attorneys for Defendant

Costco Wholesale Corporation

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DATED this 19th day of February, 2025.

HICKS & BRASIER, PLLC

/s/ Betsy C. Jefferis-Aguilar, Esq.

BETSY C. JEFFERIS-AGUILAR, ESQ.

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Harper v. Costco

Case No. 2:24-cv-01536-JAD-MDC

Stipulation and Order to Extend Discovery and Related Deadlines (First Request)

ORDER

IT IS HEREBY ORDERED that the deadlines in the above-captioned matter
be extended as follows:

	Date
Last day to amend or add	Closed
Initial expert disclosures	Closed
Rebuttal expert disclosures	Closed
Discovery cut off	May 19, 2025
Dispositive Motions	June 18, 2025
Pre-Trial Order	July 1, 2025

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

IT IS SO ORDERED.

Submitted by:

OLSON CANNON & GORMLEY

/s/ Michael A. Federico, Esq.

MICHAEL A. FEDERICO, ESQ.

Nevada Bar No.: 005946

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Las Vegas, NV 89129

Attorney for Defendant

Costco Wholesale Corporation

Hon. Maximiliano D. Couvillier III
United States Magistrate Judge
Date: 2.20.2025

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